

MOTION BY SUPERVISOR ZEV YAROSLAVSKY

May 10, 2011

Since the Department of Public Health first established its restaurant letter grading program over a decade ago, the program has led to improved sanitary conditions at local restaurants while garnering numerous accolades. Results from the Los Angeles Health Survey demonstrate that the program has enjoyed broad public support, and other jurisdictions have emulated the program across the state and country. Today our Board has received a recommendation from the Department of Public Health to align the fees that we charge local businesses for public health permits to the County's actual cost of inspecting and providing services to those businesses. While I support the alignment of the fees to the cost of serving these businesses, I am concerned that the Department is not uniformly providing a high enough level of service to our local businesses.

My office has heard recently from a variety of restaurant owners, restaurant designers and builders, and even a city manager, that they sometimes encounter problems when dealing with our Department of Public Health's Environmental Health unit. The problems that they experience fall into three broad categories:

- 1. Slow response times from the Department to plan check requests,

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2. Inconsistent interpretation and enforcement of the food code, and
3. Unprofessional behavior on the part of some inspectors

We have heard from permit holders who state that they have waited well beyond the standard 20 days for a response from the Department's plan check unit, and that they have experienced rude and inconsiderate behavior on the part of inspectors. We have also heard from a city manager and from restaurant owners who are being told one thing by the Department when they submit their restaurant construction plans and then are told something entirely different once construction is completed. Public health permit holders have a right to expect clear and consistent guidance from the Department on issues relating to the food code.

I am aware that the Department has several processes in place to address complaints from permit holders. However, my office has heard that some permit holders do not send their complaints to the Department out of fear of possible retaliation. So while the Department has attempted to address the concerns of permit holders, I believe that there is still room for improvement.

I, THEREFORE, MOVE that the Board of Supervisors:

Instruct the Department of Public Health to report back within 60 days with recommendations to improve the service that it provides to the Public Health permit holders. In particular, the recommendations should address the Department's slow response times to plan check requests, the inconsistent interpretation and enforcement of the food code (also referred to as the "California Retail Food Code"), the unprofessional behavior of some Environmental Health staff, and ways to ensure that permit holders are able to share their concerns without fear of retaliation. The

Department's report should assume that all recommended actions can be achieved without additional resources.

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